

1
2
3
4
5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 * * *

8 UNITED STATES OF AMERICA,)
9 Plaintiff,) Case No: 2:05-cr-0100-RLH-LRL
10 vs.) 2:06-cr-0002-RCJ-GWF
11 NELSON OSEMWENGIE,) **ORDER**
12 Defendant.) (Motion for Self-Surrender at
13 Terminal Island-#319)

14 Before the Court is Defendant Nelson Osemwengie's **Motion for Judicial Recom-**
15 **mendation for Self-Surrender at the Federal Correctional Institution in Terminal Island**
16 (#319, filed August 10, 2010).

17 The Motion must be denied. The Court has already made a recommendation that
18 Nelson Osemwengie be permitted to serve his time at Terminal Island. But it can only make a
19 recommendation to the Bureau of Prisons (BOP). The BOP has the ultimate and total authority to
20 determine where he will serve. Defendant represents that a designation has not been made.

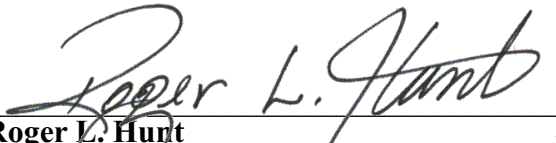
21 The Court also permitted Defendant Osemwengie to self-surrender (the date for the
22 self-surrender being August 13, 2010). What Defendant appears to be trying to get the Court to do
23 is to order that he self-surrender at Terminal Island, thus forcing the BOP's hand by the Court
24 ordering him to surrender at Terminal Island. That the Court cannot and will not do.

25 ////

26 ////

1 IT IS THEREFORE ORDERED that Defendant Nelson Osemwengie's **Motion for**
2 **Judicial Recommendation for Self-Surrender at the Federal Correctional Institution in**
3 **Terminal Island (#319)** is DENIED.

4 Dated: August 11, 2010.

5
6 
7 **Roger L. Hunt**
8 **Chief United States District Judge**
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26